



PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0306

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
John A. GRIEGO	)	Group Art Unit: 3731
	)	
Application No.: 10/682,197	)	Examiner: Unknown
	)	
Filed: October 10, 2003	)	
	)	
For: DEVICE WITH DEFLECTABLE	)	Confirmation No.: 1259
DISTAL END AND RELATED	)	
METHODS OF USE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. A copy of the listed foreign patent documents and non-patent literature document is attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 11, 2005

By: \_\_\_\_\_



Michael W. Kim  
Reg. No. 51,880

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	10/682,197
				Filing Date	October 10, 2003
				First Named Inventor	John A. GRIEGO
				Art Unit	3731
				Examiner Name	Unknown
Sheet	1	of	1	Attorney Docket Number	06530.0306

### U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,690,269 A	11-25-1997	Bolanos et al.	
		US-5,700,275 A	12-23-1997	Bell et al.	
		US-2002/0120253 A1	08-29-2002	Ouchi	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 97/12557 A	04-10-1997	Kelleher		
		WO 99/52489 A	10-21-1999	Ethicon Endo Surgery Inc.		
		WO 02/07611 A	01-31-2002	Bonadio et al.		

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		International Search Report and Written Opinion in PCT/US2004/030913 mailed February 9, 2005.	

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.